

Docket No.: 064706-0038

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Late Application of

UY, Anthony et al.

Serial No.: 10/790,513

Filed: March 1, 2004

For: HARMONIZED TARIFF SCHEDULE CLASSIFICATION USING ENTRY DATA

: Customer Number: 33401
:
: Confirmation Number: 1072
:
: Group Art Unit: 2171
:
: Examiner: Not yet assigned
:

CERTIFICATE OF MAILING (37 CFR. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail as First Class Mail under 37 CFR 1.8(a) in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on SEP 23 2004.

Jessica Brown

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, dated August 9, 2004, submitted herewith are the following documents for filing in the above-referenced application:

1. Copy of Notice to File Missing Parts, Part 2 – Copy to be Returned with Response;
2. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63);
3. Authorization to charge Late Filing Fee Surcharge of \$130 to Applicants' attorney's deposit account 501946; and
4. Power of Attorney and Statement under 37 CFR 3.73(b), signed by Assignee (with Copy of Assignment being filed separately for recordation).

10/790,513

Also filed herewith is a second preliminary amendment to further clarify in the specification the priority claim, which is shown correctly on the application filing receipt.

Please charge Deposit Account No. 501946 the surcharge amount of \$130. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 501946 and please credit any excess fees to such deposit account.

It is requested that an updated official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



Marc E. Brown
Registration No. 28,590

2049 Century Park East, 34th Floor
Los Angeles, CA 90067
Telephone: (310) 277-4110
Facsimile: (310) 277-4730
Date: September 23, 2004



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/790,513	03/01/2004	Anthony Uy	64706-038

MCDERMOTT, WILL & EMERY
Suite 3400
2049 Century Park East
Los Angeles, CA 90067



CONFIRMATION NO. 1072

FORMALITIES LETTER



OC00000013478048

Date Mailed: 08/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450

09/29/2004 HTECKLU1 00000010 501946 10790513 Alexandria VA 22313-1450

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A copy of this notice MUST be returned with the reply.

S. Goren

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE